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9 Attorneys for Plaintiff
United States of America

10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12

13)	CR 05-93(A)-TJH
14	UNITED STATES OF AMERICA,)	FINDINGS OF FACT,
15	Plaintiff,)	CONCLUSIONS OF LAW AND
16	v.)	ORDER REGARDING
17	BIJAN DANESHGAR,)	CONTINUANCE OF TRIAL DATE
18	Defendant.)	AND EXCLUDABLE TIME PERIODS
19)	UNDER SPEEDY TRIAL ACT
20)	

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23 GOOD CAUSE APPEARING, THE COURT HEREBY MAKES THE
24 FOLLOWING FINDINGS OF FACT AND CONCLUSIONS OF LAW:

25 1. Continuing the trial to January 24, 2009, will conserve both judicial and
26 government resources, and is in the interest of justice, because it will enable the
27 defendant to continue to be supervised by the Pretrial Services Office pursuant to
28 the parties' agreement for pretrial supervision;

1 2. Continuing the trial to January 24, 2009, is in the interest of justice,
2 because it will enable the defendant's to have adequate time to prepare for trial if
3 the defendant does not successfully complete his one-year period of supervision
4 pursuant to the agreement for pretrial supervision;

5 3. The defendant's counsel has advised the defendant of the defendant's
6 rights under the Speedy Trial Act; defendant concurs with his counsel that
7 continuing the trial to January 24, 2009, is necessary and in his best interests in
8 order to (1) enable him to continue under supervision by the Pretrial Services
9 Office as contemplated by the diversion agreement, rather than proceeding to trial,
10 and (2) enable his attorney to have sufficient time to prepare for trial, should such
11 preparation become necessary as a result of a decision by the government, pursuant
12 to the agreement, to continue with the prosecution of this case. Accordingly,
13 defendant joins in the request for the continuance.

14 4. The time period from January 28, 2008 to January 24, 2009, constitutes a
15 reasonable period of delay.

16 5. Based on the above-stated findings, the ends of justice served by
17 continuing the case as requested outweigh the interest of the public and the
18 defendant in a trial within the original dates prescribed by the Speedy Trial Act.

19 6. For the purpose of computing time under the Speedy Trial Act, 18
20 U.S.C. § 3161, et seq., within which trial must commence, the time period of
21 January 28, 2008 to January 24, 2009 is deemed excludable pursuant to 18 U.S.C.
22 § 3161(h)(8)(A) because the time period results from a continuance granted by the
23 judge at the parties' request based on the judge's finding that the ends of justice are
24 served by taking such action.

25 7. Nothing in this stipulation shall preclude a finding that other provisions
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1 ACCORDINGLY, IT IS HEREBY ORDERED THAT:

2 1. The trial date of January 28, 2008 at 10:00 a.m. is continued to January
3 24, 2009 at 10:00 a.m.; and

4 2. Defendant Bijan Daneshgar shall appear in Courtroom 17 of the United
5 States Courthouse, 312 North Spring Street, Los Angeles, California on January
6 27, **2009** at 10:00 a.m.

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8 Dated: January 31, 2008


TERRY J. HATTER, Jr.
U.S. District Court Judge

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17 Presented By:

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21 PAUL H. ROCHMES
22 Assistant United States Attorney
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